

**The Joint Committee on the Rehabilitation Building and Fire Code for Existing Buildings and Structures met at their headquarters located at 1 Regan Court, Varley Building #46, Cranston, RI on Tuesday, September 15, 2009 at 2:00 P.M. Present were Chairman Coutu, Vice Chairman Durand and Commissioners Preiss, Richard, Blackburn, Turner and Gagnon. Commissioners Pearson, Jackson and Newbrook were absent from the hearing. Also present were Executive Secretary Thomas B. Coffey and Administrative Assistant Desiree Campanini. The following cases were heard.**

**APPEAL #R090020: Mr. Timothy Wensus, for the property located at 190-194 Thayer Street, Providence. ADSFM Timothy Lutz appeared for the Providence Fire Marshal's Office and Jeffrey Lykins appeared for the Providence Building Official's Office. A motion was made by Commissioner Turner, seconded by Commissioner Gagnon, to grant the applicant relief for the exterior non-compliant stairs and handrails. The Board granted the applicant's request to be permitted to change the classification of this building to Type IIB construction. The motion passed over the opposition votes of Commissioners Richard, Preiss and Blackburn.**

**Below are the findings of an appeal that was heard in subcommittee on September 15, 2009. Subcommittee members present were Chairman Coutu, Vice Chairman Durand and Commissioners Richard, Blackburn Turner and Gagnon. The subcommittee recommendations will be reported back to the full board for its consideration at its**

**October 20, 2009 meeting**

**APPEAL #R090015: Hughes Associates, for the property located at 75 Waterman Street, Providence. ADSFM Timothy Lutz appeared for the Providence Fire Marshal's Office and Jeffrey Lykins appeared for the Providence Building Official's Office. Commissioners Blackburn and Turner recused themselves from consideration of this case.**

**The Applicant requested the following variances at the subcommittee meeting held on September 15, 2009.**

**1. The Applicants are requesting a variance from the provisions of RILSC sections 7.2.2.4.4.6, 7.2.2.4.4.7 and 7.2.2.4.4.8. The existing handrails are located on stairs S1 and S2 and were constructed as part of the guardrails and do not meet the dimensional criteria of the RILSC. The existing handrails attach directly to the guardrail in stairway S1 (all levels) and S2 (all levels) and the Applicant is requesting to be able to leave the existing historic handrails in their current configuration. The Providence Fire Marshal and the Providence Building Official have no objection to granting this variance.**

**2. The Applicants are requesting a variance from the provisions of RILSC section 7.2.2.4.5.3. The existing historic guardrails located on stairs S1 and S2 have openings that are approximately 5¼ inches, which is greater than what is allowed by the Rhode Island Life Safety**

**Code. The Applicant is requesting that the existing historic guardrails be allowed to remain in their current configuration. The Providence Fire Marshal and the Providence Building Official have no objection to granting this variance.**

**3. The Applicants are requesting a variance from the provisions of RILSC section 6.1.14.3.2 which requires that the means of egress, types of construction, protection and other safeguards in the buildings comply with the most restrictive fire and safety requirements of the occupancies involved. The applicant is requesting that the Board grant this variance based on the International Building Code Standards which is comparable to Rhode Island Safety Code. The Providence Fire Marshal and Providence Building Official have no objection in granting this variance.**

**4. The Applicants are requesting a variance from the provisions of RILSC section 8.6.6(2) to construct a floor through a portion of the two story space to allow the occupants on the 3rd floor to travel between stairs 3S1 and 3S2. By constructing this floor, all occupants of the 3rd floor will have access to two (2) exit stairs. The existing fire escape stairs on the west end of the building can be demolished. Additionally, with the construction of this floor, all levels of the 3rd floor are made accessible. The new floor in the two (2) story opening connecting rooms 211 and 311 is to be used as a portion of the means of egress and is proposed to be classified as a communicating space. The applicant proposes that the two-story vertical opening be**

**classified as a communicating space with relief on the lowest level based on the following: Access to two (2) exit stairs from the 3rd floor, fire sprinkler protection throughout the building, smoke detection provided within the communicating space and the adjacent corridor, separation from the remainder of the 2nd and 3rd floor by construction consistent with one-hour fire barrier walls and one-hour fire door assemblies that would comply with SBC-1-2007404 and 707.2. The Providence Fire Marshal and the Providence Building Official have no objection in granting this variance.**

**5. The Applicants are requesting a variance from the provisions of RILSC sections 8.2.3.3, Rehab 501.3 and SBC-1-207 506.5. The Applicants advised the Board that stairs S1 and S2 are not separated from the remainder of the building and are currently open to the corridors on all levels of the building. The Applicant is proposing that these stairs, which connect four stories, be completely separated from the remainder of the building. The Applicants' intent is to separate the stairs to be consistent with the existing provisions of the Life Safety Code for one-hour construction for fully sprinklered buildings. The Applicants are proposing to install one-hour fire barrier walls to complete the separation of those stairs from the remainder of the floor and to provide a rated ceiling underneath series of floor joists that would support the wall itself. This method would completely separate the floor construction from the remainder of the ceiling space. The Providence Fire Marshal and the Providence Building Official have no objection in granting this variance.**

**6. The Applicants are requesting a variance from the provisions of RILSC sections 8.6.5, Rehab 501.3 and SBC-1-2007, 707.4 to add new ductwork from the lower level to the attic. If the ductwork connects more than three stories it will be required to be in a two-hour fire resistant rated shaft enclosure. The applicant proposed that a two-hour duct wrap be considered equivalent to a two-hour fire rated shaft enclosure. The Providence Fire Marshal and the Providence Building Official have no objection to granting this variance.**

**7. The Applicants are requesting a variance from the provisions of RILSC sections 7.1.10.1, 7.2.2.3.3 and SBC-1- 2007, 1009.5.1 to allow the existing stairs from the 3rd floor east that traverse the roof to be replaced with new stairs that comply with the dimensional criteria of the RILSC. The applicants proposed that the above exterior stairs with grated tread construction with no cover be acceptable based on the testimony that the Brown University maintenance staff will remove the snow and ice from the stairs to ensure that there is full available use in the case of fire or other emergency. Additionally, with the replacement of the existing stairs, this will improve the egress from the east side of the 3rd floor. The Providence Fire Marshal and the Providence Building Official have no objection in granting this variance. Commissioner Gagnon made a motion, seconded by Vice Chairman Durand to allow the full board to consider the subcommittee's recommendations of the Applicants'**

**proposed variance requests.**

**Respectfully submitted,**

**Desiree Campanini**  
**Administrative Assistant**